

County of Los Angeles
DEPARTMENT OF PUBLIC SOCIAL SERVICES

12860 CROSSROADS PARKWAY SOUTH • CITY OF INDUSTRY, CALIFORNIA 91746
Tel (562) 908-8400 • Fax (562) 908-0459



BRYCE YOKOMIZO
Director

LISA NUÑEZ
Chief Deputy



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April 4, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**RECOMMENDATION TO AWARD A CONTRACT TO
EMPIRE TRANSPORTATION, INC.,
FOR SHUTTLE BUS SERVICES
(DISTRICT 1 - 3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that shuttle bus services can be provided more economically by Contractor than by County employees.
2. Approve and instruct the Mayor to sign the enclosed Prop A contract with Empire Transportation, Inc., effective the day after Board approval or May 1, 2006, whichever is later, through April 30, 2009, to provide shuttle bus services at a maximum contract amount of \$348,516 for the three-year term of the contract. The maximum annual cost is \$116,172. Since there is a CalWORKs and a Food Stamp Maintenance of Effort requirement, which will be met by the County there is no additional net County cost (NCC) for these programs. The share of cost associated with programs, such as General Relief, results in an estimated NCC of \$9,900 annually. Funding for this contract is included in the FY 2005-06 Adopted Budget and FY 2006-07 Initial Budget Request. Funding for future years will be included in the Department's annual budget requests.
3. Delegate authority to the Director of the Department of Public Social Services to prepare and sign amendments to the contract for any decrease or increase of no more than ten percent of the total contract amount, when the change is necessitated by additional and necessary services that are required in order for the contractor to comply with changes in federal, State, or County requirements.

The approval of County Counsel and the Chief Administrative Office (CAO) will be obtained prior to executing such amendments, and the Director will notify the CAO in writing within ten business days after execution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Shuttle bus services are required for the County GAIN Region VI office, located at 5460 Bandini Blvd., Bell, California, due to limited on-site parking. There are 116 employees at the GAIN office with 123 on-site parking spaces available, with no spaces reserved for visitors. Currently, visitors to the GAIN office park at a leased parking lot located at 4900 South Eastern Avenue, Commerce, and are transported to the GAIN office. This lot is approximately one mile from the GAIN regional office.

The Department's current contract with Empire Enterprises, Inc., for shuttle bus services for GAIN Region VI offices expires April 30, 2006.

Approval of this contract will ensure the continuation of essential shuttle bus services for visitors to the GAIN regional office.

Implementation of Strategic Plan Goals

These recommendations are consistent with the principles of the Countywide Strategic Plan Goal #1 Service Excellence, to provide the public with easy access to quality information and services that are both beneficial and responsive; Goal #2 Workforce Excellence, by enhancing the quality and productivity of the County workforce.

FISCAL IMPACT/FINANCING

The maximum amount of this contract for the three-year period is \$348,516. The maximum annual cost of the contract is \$116,172. Since there is a CalWORKs and a Food Stamp Maintenance of Effort (MOE) requirement, which will be met by the County, there is no additional net County cost (NCC) for these programs. The share of costs associated with programs, such as General Relief, results in an estimated NCC of \$9,900 annually. Funding for this contract is included in the FY 2005-06 Adopted Budget and FY 2006-07 Initial Budget Request. Funding for future years will be included in the Department's annual budget request.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The County's Prop A and Living Wage Ordinance provisions apply to this proposed contract as County employees can perform these contracted services.

The contract is cost effective, a requirement of Prop A contracts.

The contract is for a term of three years commencing May 1, 2006, or one day after Board approval, whichever is later, through April 30, 2009, with no options for extension.

The award of this contract will not result in unauthorized disclosure of confidential information and will be in full compliance with federal, State, and County regulations.

The contract complies with all of the requirements of Los Angeles County Code Section 2.121.380, which is a mandatory prerequisite for the award of this contract.

The contract includes Federal Debarment language.

The contract includes Contractor Responsibility and Debarment language.

Provisions for the County's Jury Service Program have been included in the contract. The contractor is in compliance with the Jury Service Program.

The Safely Surrendered Baby Law provision is included in the contract, which requires the contractor to notify and provide a fact sheet to their employees regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County and where to safely surrender a baby.

The contract includes the provision for the Contractor to first consider hiring County employees targeted for layoff or re-employment.

The contract requires the Contractor to consider hiring participants of the Greater Avenues for Independence (GAIN) program and General Relief Opportunities for Work (GROW) program.

The contract includes the provision that requires the Contractor to comply with the Los Angeles County's Child Support Enforcement requirements.

The contract may be terminated for: 1) Breach of warranty to maintain compliance with County's Child Support Compliance Program; 2) convenience; 3) default; 4) improper consideration; 5) insolvency; 6) non-adherence of County lobbyist ordinance; and 7) non-appropriation of funds.

The contract includes provisions for performance standards/outcome measures.

The contract has been approved as to form by County Counsel.

CONTRACTING PROCESS

Shuttle bus services were solicited through a competitive process under the Los Angeles County Prop A ordinance. The Request for Proposals (RFP) was released the week of November 21, 2005. Two proposals were submitted in response to the RFP. Empire Transportation, Inc., was selected as the highest rated proposer.

The RFP was advertised in the following publications: Los Angeles Times, Orange County Register, Small Business Exchange, Los Angeles Sentinel, La Opinión, Acton/Agua Dulce News, The Daily News, Copley Newspapers, Eastern Group Publications, L.A. Watts Times, Chinese Daily News, and The Korea Times. Also, the solicitation was posted on the L.A. County and DPSS websites. Interest letters were mailed to 25 organizations listed on the Department's bidders list as well as other interested vendors. The RFP was mailed to 9 interested vendors.

During the review process, it was noted that the incumbent contractor Empire Enterprises, Inc., submitted its proposal under a newly organized agency (Empire Transportation, Inc.). The new agency was incorporated in April 2005 and became operational in December 2005. County Counsel and Auditor-Controller staff did not provide any objections to the new agency. Since there is no legal basis to reject the proposal, the Department proceeded with the evaluation process.

The proposals were evaluated in accordance with the evaluation criteria in the RFP. The financial statements for both proposers were reviewed and rated by Auditor-Controller staff. In addition, both of the proposers reported labor law violations, which were referred to the Division of Labor Standards Enforcement. An evaluation of the labor violations disclosed by Modern Parking, Inc., resulted in a two percent deduction in their overall score. Empire Transportation, Inc., received no deductions. The Labor Law Assessment Team determined that the number of reported labor law violations and the claims for alleged violations for each contractor do not appear to show a pattern of intentionally violating State labor laws. This process is required on all Prop A solicitations prior to completing the evaluation process.

The Local Small Business Enterprise (SBE) program's provisions were included in the RFP. No proposer claimed to be certified as a Local SBE vendor and no Local SBE credit was applied in the RFP evaluation.

The contract does not include a Cost of Living Adjustment.

IMPACT ON CURRENT SERVICES

The award of this contract will not infringe on the role of the County in relationship to its residents, and the County's ability to respond to emergencies will not be impaired. There is no change in risk exposure to the County.

CONCLUSION

Upon approval and execution of the contract, the Executive Officer, Board of Supervisors, is requested to return one adopted stamped Board Letter and three (3) original signed copies of the contract to the Department of Public Social Services.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Bryce Yokomizo', with a stylized flourish at the end.

Bryce Yokomizo
Director

BY:sls

Enclosure

c: Chief Administrative Officer
County Counsel
Auditor-Controller
Executive Officer, Board of Supervisors